

11:04 am, Jun 07 2023

AT BALTIMORE
 CLERK, U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 BY _____ Deputy

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND**

IN THE MATTER OF A SEARCH OF:)
)
ONE (1) U.S. POSTAL SERVICE PARCEL)
LOCATED AT THE INCOMING MAIL)
FACILITY IN LINTHICUM HEIGHTS, MD)

Case Number: 23-mj-01080-BAH

**AFFIDAVIT IN SUPPORT OF APPLICATION
 FOR A SEARCH WARRANT FOR ONE (1) U.S. POSTAL SERVICE PARCEL**

Your Affiant, Jason Whetstone, United States Postal Inspection Service, Task Force Officer, Baltimore, Maryland, being duly sworn, hereby deposes and states as follows:

I. Subject Parcel

1. This is an Affidavit submitted in support of an Application for a Search Warrant for one subject U.S. Mail Parcel, hereinafter "Subject Parcel 1" or the "Subject Parcel." The Subject Parcel is currently located at the Incoming Mail Facility, in Linthicum Heights, Maryland. Based on the facts summarized below, your Affiant and other investigators submit that there is probable cause to believe that search of the contents of the Subject Parcel will reveal evidence of violations of 21 U.S.C. §§ 841 (possession with intent to distribute narcotics) and/or 846 (conspiracy to distribute and possess with intent to distribute narcotics). The Subject Parcel is specifically identified as follows:

| <i>Subject Parcel</i> | <i>Express (E), Priority (P) and (F) First Class Tracking ID number</i> | <i>From: Name and Address</i> | <i>To: Name and Address</i> |
|------------------------------|--|--|---|
| 1. | (E) EI 366 956 143 US | 7200 W. Glendale Ave. Glendale AZ 85303 | Dana Tarsha 555 President Street Apartment 1419 Baltimore MD 21202 |

II. Affiant's Training and Experience

2. Your Affiant, Jason Whetstone, a United States Postal Inspection Service Task Force Officer is a duly sworn member of the Maryland State Police. Your Affiant has been a sworn law enforcement officer of the Maryland State Police (MSP) for over fourteen (14) years. Your Affiant has received specialized training at the Maryland State Police Academy, in Sykesville, Maryland, where parts of the course studies dealt with the identification of, Criminal and Traffic Laws. Your Affiant has also received specialized training in Proactive Criminal Enforcement training, two separate Complete Traffic Stops training seminars, D.I.A.P. Commercial Motor Vehicle Interdiction, Washington DC – DEA Jetway Interdiction training, Richmond – DEA Jetway Interdiction training, two separate Maryland State Police Hidden Compartment training classes, DEA Hidden Compartment training Class, DEA Advanced Hidden Compartment training, Human Trafficking training, Advanced Human Trafficking training, Governor's Criminal Justice training seminar which included training in the following areas: Social Media training, Vinewatch training, Basic MOMS training, Advanced MOMS training, Compstat training, VPI training, Basic Criminal Investigation training, Maryland Top Gun XII training, Street Narcotics, Narcotics Interdiction, Ariel Observers training, Counterfeit Products

training, National American Standard (NAS) Commercial Motor Vehicle Inspection Level training and HIDTA/Maryland State Police Commercial Motor Vehicle Interdiction Training, NCR Linx Training, Dark Web and Cryptocurrency Training, International Narcotics Interdiction Association Training, Fentanyl Awareness Training, General Aviation Smuggling Training, Aviation Interdiction Training, Parcel Interdiction Training, Drug Cartels and Global Distribution Training, Hotel/Motel Interdiction Training, Freight Interdiction Training, Airport Interdiction Training, Bulk Currency Smuggling Training, Department of Homeland Security Task Force Officer training, United States Postal Inspection Service Task Force Officer Training and Train the Trainer Training, further;

3. Your Affiant has participated in numerous investigations involving possession with intent to distribute and distribution of controlled substances. In addition, Your Affiant has participated in interdictions and controlled deliveries related to narcotics investigations. Moreover, your Affiant has applied for and executed seizure and search warrants which resulted in criminal arrest and prosecution. As a result of your Affiant's training and experience, your Affiant is aware that Priority Mail Express and Priority Mail services are regularly used by narcotic traffickers to ship controlled substances and bulk cash through the U.S. Mail.

4. Based upon my training and experience in the field of narcotic interdiction through the mails, I know that there are suspicious characteristics common to many packages that contain narcotics, controlled substances or the proceeds thereof (i.e. U.S. currency). These factors, more fully detailed below, are used to identify packages requiring further investigation. In the case of this search warrant, several of these factors were identified, and the package was alerted to by a

drug detection canine. The most common factors or suspicious characteristics routinely observed in the course of screening packages are as follows:

a. *Contrasts observed between legitimate business parcels and drug parcels:*

As an alternative to First Class Mail (which does not provide a customer with the capability to track the progress of a parcel through the system), the U.S. Postal Service offers Priority Mail Express and Priority Mail. Priority Mail Express is guaranteed (money back) to be delivered on a set date and time, usually overnight. (That deadline is determined at the time of mailing.) The customer receives a receipt with this guaranteed information, and the sender can opt for a signature requirement at the other end or not. Customers can track the parcel on line by its distinct Priority Mail Express tracking number. The weight of the package and the distance traveled are the two main factors in setting the price. Priority Mail Express costs more than Priority Mail. Priority Mail has a delivery service standard of 1-3 business days, but delivery within that time period is not guaranteed. Priority Mail is a less expensive alternative to Priority Mail Express, but still provides the ability to track a parcel. Legitimate businesses using Priority Mail Express typically have a business or corporate account visible on the mailing label, which covers the cost of the mailing. In contrast, the drug distributor will pay for the cost of mailing the package at the counter by using cash or a credit card. Business Priority Mail Express parcels typically weigh no more than 8 ounces, and business Priority Mail parcels typically weigh no more than 2 pounds. Drug packages typically exceed these weights. Address labels on business parcels are typically typed, whereas those on drug packages are typically handwritten. In your Affiant's experience, it is fairly easy to separate out smaller parcels, which constitute 70% to 80% of all Priority Mail Express and Priority Mail parcels, from other, heavier parcels. Typically, drug traffickers use Priority Mail Express, and will opt out of the requirement of obtaining a signature upon delivery.

b. *Invalid Sender/Return Address:* When drugs are shipped through the mail, the senders generally do not want them back. To distance themselves from parcels containing drugs, often the return addresses and the names of senders are fictitious or false. A fictitious or false address is anything from an incorrect zip code to a non-existent house number or street. The name of the sender is also typically invalid in one of several ways. Your Affiant has seen packages sent by persons with names of celebrities, cartoon characters, or fictional names. More often a search of a law enforcement database reflects that there is no association between the name of the sender and the address provided.

c. *Invalid Recipient/Address:* It would be counter-productive to put the wrong receiving address on a package, but often the named recipient is not actually associated with the receiving address. This allows the person receiving the package to claim that they did not know about its contents. Sometimes drug packages are addressed to vacant properties with the expectation that the postal carrier will just leave it at the address. The intended recipient will then retrieve it from that location and hope to remain anonymous.

d. *Location of Sender:* The fact that a package is sent from a narcotics source state such as Arizona, California, Texas, Washington, Colorado, Puerto Rico and Florida (among others) can also indicate that the parcel contains controlled substances.

e. *Smell:* The odor of cocaine, marijuana, and methamphetamine are distinct, and through experience postal inspectors are familiar with these odors. On occasion, a parcel will emit an odor that is easily recognized without the assistance of a canine. Other smells that suggest that a parcel may contain narcotics include the aroma of masking agents. Common masking agents used in an attempt to thwart detection by law enforcement and canines typically include dryer sheets, coffee, mustard, and any other substance that releases a strong smell.

f. *Heavy Taping:* Heavily taped parcels are another factor that will suggest a drug parcel, because narcotics parcels are heavily taped in an effort to keep the smell inside and to forestall easy checking on the interior contents by lifting up a flap. For this reason, your Affiant has also observed excessive glue on the flaps of narcotics parcels as well.

g. *Click-N-Ship:* The US Postal Service created Click-N-Ship as a service for frequent mailers and businesses who prefer printing address labels and purchasing postage from their residence or business. Drug traffickers create Click-N-Ship accounts as a means of giving a legitimate appearance to their drug mailings. They create the accounts using fictitious account information and often provide pre-paid credit cards as a means of payment, which are difficult to track. Drug traffickers often use legitimate business return addresses in states other than California and Arizona as a means to deter detection, as these other states are not usually considered “source” states for controlled substances. The postage labels are printed/typed, unlike the typical drug related mailing label which is handwritten.

5. It is your Affiant’s experience that when these factors are observed, a drug detection canine will likely “alert,” next to the parcel, indicating that the dog has detected the presence of narcotics. As a result, these factors become a reliable way to profile the parcels being shipped every day.

6. The facts contained in this affidavit are based on my personal knowledge as well as that of the other agents involved in this investigation. All observations that were not made personally by me were related to me by persons with knowledge. This affidavit contains that information necessary to establish probable cause to support an application for a search warrant. This affidavit is not intended to include every fact and matter observed by or made known to agents of the government.

III. Probable Cause

7. On March 24, 2023, while conducting interdiction activities at the Incoming Mail Facility, postal inspectors identified the Subject Parcel as having some of the suspicious characteristics commonly associated with parcels containing narcotics.

8. The following factors or suspicious characteristics are present in the Subject Parcel:

| <i>Subject Parcel Express or Priority</i> | <i>From Source State:</i> | <i>Weight:</i> | <i>Label:</i> | <i>Senders name associated with address?</i> | <i>Recipients name associated with address?</i> | <i>Canine Alert?</i> |
|--|----------------------------------|-----------------------|----------------------|---|--|-----------------------------|
| 1. Express | Yes – AZ | 6 lbs 5.20 ozs | Handwritten | NO | NO | Yes – Riggs |

9. The suspicious characteristics listed above were identified while the Subject Parcel was in the mail stream. At which time the above listed Subject Parcel was removed from the mail stream. On March 27, 2023, law enforcement used standard protocol for canine detection to determine whether there was probable cause that the Subject Parcel contained narcotics. Specifically, after being removed from the mail stream, the Subject Parcel was individually placed in a secure area next to several other empty and unused boxes. Narcotic detection canine “Riggs”¹ was brought forward to scan the group of boxes, which included the individual Subject Parcel and the empty and unused boxes placed around the Subject Parcel. The handler observed the canine and then informed agents that “Riggs” alerted to the presence of narcotics for the Subject

¹ The canine handler for “Riggs” is Montgomery County Police Detective Scott Carson. “Riggs” was last certified in March 2023 and is trained on the odor of Marijuana, cocaine, crack cocaine, MDMA, Methamphetamine and heroin. Additionally, “Riggs” receives monthly recurrent narcotics odor detecting training.

Parcel. The Suspicious Parcel was then secured in a locked area of the facility to await the granting of a search warrant.

IV. Conclusion

14. Your Affiant submits that based upon the above indicators reflected in the Subject Parcel described herein, based upon my training and experience, and based upon the alert of a trained canine on the Subject Parcel, I believe that there is probable cause that the Subject Parcel contains narcotics or controlled substances, or the proceeds thereof (i.e. U.S. currency) and/or materials relating to the distribution of controlled substances through the U.S. Mail.

15. Your Affiant further admits that because the Subject Parcel is presently in the Mail Facility and may be accessed during 24 hours without additional intrusion, good cause for authorization to execute the search warrant at any time in the day or night has been established.

TFO J. Whetstone #01131

Jason Whetstone
Task Force Officer
United States Postal Inspection Service

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 41(d)(3) this 27th day of March 2023.

Brendan A. Hurson

Brendan A. Hurson
United States Magistrate Judge

